Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86207408
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/86207408/large
LITERAL ELEMENT	PINPOINT
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Computer component testing and calibrating equipment; Computer hardware and software sold as a unit for testing of embedded computer systems	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/00/2013
FIRST USE IN COMMERCE DATE	At least as early as 11/00/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Computer component testing and calibrating equipment; Computer hardware and software sold as a unit for testing of embedded computer systems	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/00/2013
FIRST USE IN COMMERCE DATE	At least as early as 11/00/2013
STATEMENT TYPE	**"The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"** *[for an application based on Section 1(a), Use in Commerce] OR* **" The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"** *[for an application based on Section 1(b) Intent-to-Use]. OR* **"The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use"** [for an illegible specimen].
SPECIMEN FILE NAME(S)	
JPG FILE(S)	\\TICRS\EXPORT16\IMAGEOUT 16\862\074\86207408\xml17 \RFR0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\862\074\86207408\xml17\RFR0005.JPG

ORIGINAL PDF FILE	SPU0-706314783-20160802141633774346_._new_specimen_1.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\862\074\86207408\xml17\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\862\074\86207408\xml17\RFR0003.JPG
SPECIMEN DESCRIPTION	specimens showing use of trademark.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Matthew H. Swyers/
SIGNATORY'S NAME	Matthew H. Swyers
SIGNATORY'S POSITION	Attorney of Record, Member of the Virgina State Bar
SIGNATORY'S PHONE NUMBER	800-906-8626 x 100
DATE SIGNED	08/02/2016
RESPONSE SIGNATURE	/Matthew H. Swyers/
SIGNATORY'S NAME	Matthew H. Swyers
SIGNATORY'S POSITION	Attorney of Record, Member of VSB
SIGNATORY'S PHONE NUMBER	(800) 906-8626
DATE SIGNED	08/02/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Aug 02 15:04:18 EDT 2016
TEAS STAMP	USPTO/RFR-XX.XX.XXX.XX-20160802150418079538-862074 08-550e23e87b88dba7de19de 5e8a46b71f157b5fd893509e9 e91d844b03f8728d6ea-N/A-N /A-20160802141633774346

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **86207408** PINPOINT (Stylized and/or with Design, see http://tmng-al.uspto.gov/resting2/api/img/86207408/large) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES
Applicant proposes to amend the following class of goods/services in the application:
Current: Class 009 for Computer component testing and calibrating equipment; Computer hardware and software sold as a unit for testing of embedded computer systems
Original Filing Basis:
Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 11/00/2013 and first used in commerce at least as early as 11/00/2013 , and is now in use in such commerce.

Proposed: Class 009 for Computer component testing and calibrating equipment; Computer hardware and software sold as a unit for testing of embedded computer systems

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 11/00/2013 and first used in commerce at least as early as 11/00/2013 , and is now in use in such commerce. Applicant hereby submits one(or more) specimen(s) for Class 009 . The specimen(s) submitted consists of specimens showing use of trademark. . "**The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"***[for an application based on Section 1(a), Use in Commerce] OR* "**The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use**" *[for an application based on Section 1(b) Intent-to-Use]. OR* "**The attached specimen is a true copy of the specimen that was originally submitted with the application, amendment to allege use, or statement of use**" [for an illegible specimen].

JPG file(s):
Specimen File1
Specimen File2
Original PDF file:
SPU0-706314783-20160802141633774346_._new_specimen_1.pdf
Converted PDF file(s) (2 pages)
Specimen File1
Specimen File2

SIGNATURE(S)
Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU: If the applicant filed an unsigned application under 15 U.S.C. §1051(a) or AOU under 15 U.S.C. §1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; *for a collective trademark, collective service mark, collective membership mark application, or certification mark application,* the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; *for a certification mark application,* the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a) COLLECTIVE/CERTIFICATION MARK APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. §1141f(a), the signatory additionally believes that: *for a trademark or service mark application,* the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; *for a collective trademark, collective service mark, collective membership mark, or certification mark application,* the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; *for a certification mark application,* the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /Matthew H. Swyers/   Date: 08/02/2016
Signatory's Name: Matthew H. Swyers
Signatory's Position: Attorney of Record, Member of the Virgina State Bar
Signatory's Phone Number: 800-906-8626 x 100

Request for Reconsideration Signature
Signature: /Matthew H. Swyers/   Date: 08/02/2016
Signatory's Name: Matthew H. Swyers
Signatory's Position: Attorney of Record, Member of VSB

Signatory's Phone Number: (800) 906-8626

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 86207408
Internet Transmission Date: Tue Aug 02 15:04:18 EDT 2016
TEAS Stamp: USPTO/RFR-XX.XX.XXX.XX-20160802150418079
538-86207408-550e23e87b88dba7de19de5e8a4
6b71f157b5fd893509e9e91d844b03f8728d6ea-
N/A-N/A-20160802141633774346

Pinpoint
Analysis Test Suite

tkLABS is an established provider of end-to-end design and testing services. tkLABS proudly unveils Pinpoint— a suite of stationary and drive test tools aimed at mobile carriers to precisely pinpoint mobile device and system performance issues. The Pinpoint Analysis Test Suite includes a trio of seamlessly integrated software tools:
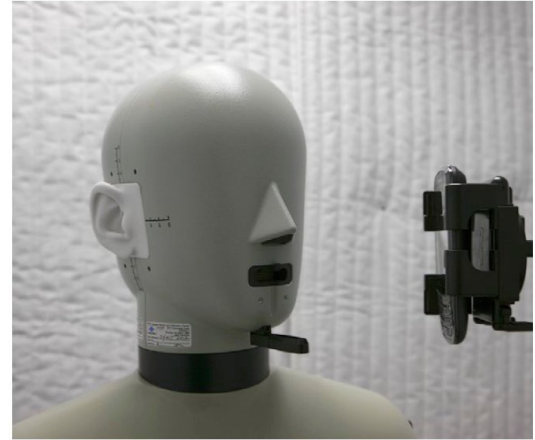
PinStation   PinApp   PinPortal

Together these three tools form a cohesive solution for extensive network measurement, providing analysis and performance data for communication service providers and OEMs. The Pinpoint Analysis Test Suite is a reliable and consistent product to evaluate mobile device and system performance for Voice and Push to Talk (PTT) calls. With global reach, and real-time analysis, The Pinpoint Analysis Suite measures Fast Call Access Time, Reliable Voice Quality and Minimal Audio Delays – all of the essential ingredients for a reliable voice communication system.
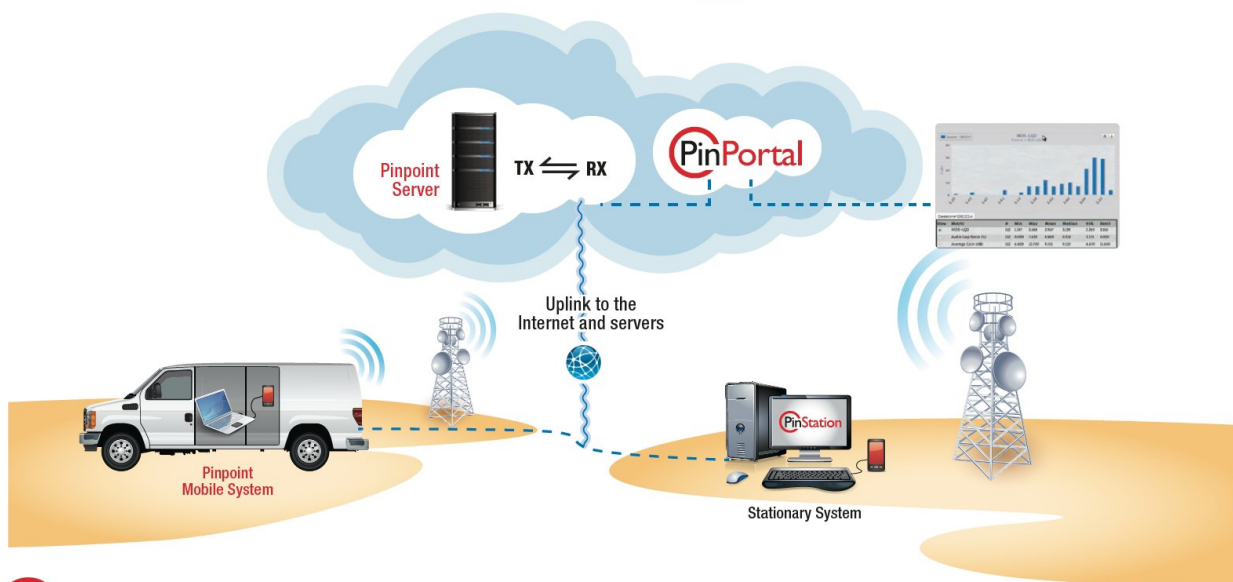
The Pinpoint Analysis Test Suite utilizes industry standard PESQ and POLQA from ITU-T, combined with an Audio Gap Detection Tool to enable automated PTT and Voice Call testing in both live or simulated situations, in either drive testing or stationary environments.

PinStation

This PC-based application provides stationary and mobile drive testing set-up to control testing of Android phones for Automated Phone Calls and Automated PTT Calls as well as Key Performance Indicators (KPI) such as call setup time, audio delay, and dekey time measurements. The application contains a PESQ/ POLQA library for MOS Voice Quality Analysis and comprehensive reporting of MOS score findings. PinStation creates test sessions for each testing type and scenario, and then uploads the testing information to PinPortal for analysis.

PinApp

This tool serves as the App inside the phone for the purpose of providing phone status and GPS information. **The PinApp works with the PinStation to retrieve vital phone information in terms of voice quality, dropped calls, strength of call, duration of service, disruption and point of occurrence.** PinApp is especially helpful for providers and OEMs when launching a new device or operating system updates to ensure quality coverage remains stable through any transition.

PinPortal

Pinpoint's true advantage is its portability via laptop and small-sized sound cards for mobile audio testing that does not rely upon dedicated land-based testing. The open **PinPortal manages multiple users to gather testing data from both mobile and stationary locations**. The portal collects audio analysis data in the form of Key Performance Indicators (KPIs). KPIs collected are call setup time, audio delay, and dekey time measurements, time of occurrence, location (GPS), and congestion — which are essential factors for service providers and OEMS to constantly evolve their changing infrastructures and assess the resulting changes. The PinPortal provides graphical statistical data and analysis for overall call performance.

To better monitor and access the quality of cellular phone coverage, carriers can gain a competitive advantage by accurately pinpointing issues and improving the customer's experience. Pinpoint Analysis Test Suite easily collects and measures Quality of Experience (QoE) metrics for service providers and OEMs. The modularity of this suite enables users to tailor the product according to their current and emerging needs. The Pinpoint Analysis Test Suite is designed and poised to grow with future enhancements and testing support.

Product Highlights

- Easy set up for Automated PTT and Voice Call Stationary and Drive Testing

- High Accuracy for Performance Metrics, Key Performance Indicators (KPIs)

- Voice quality testing— interconnect, HD voice, and Dispatch PTT)

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- Collection of Data in centralized server with location information and time stamping

- Real time access to Pinpoint test data for analysis, debugging and reports

- Audio Gap testing for audio loss, audio delay and audio arrival order analysis

- Testing call performance for voice quality and simultaneous audio delay analysis

- Supports many Dispatch Technologies: iDEN, QChat, MOTOTALK, Prip and others

- Supports several independent mobile technologies: iDEN, GSM, WCDMA, HSPDA, HSUPA, LTE

Pinpoint
Analysis Test Suite

System Performance Tools for Wireless Networks

tkLABS is an established provider of end-to-end design and testing services. tkLABS proudly unveils Pinpoint — a suite of stationary and drive test tools aimed at mobile carriers to precisely pinpoint mobile device and system performance issues. The Pinpoint Analysis Test Suite includes a trio of seamlessly integrated software tools:

PinStation   PinApp   PinPortal

Together these three tools form a cohesive solution for extensive network measurement, providing analysis and performance data for communication service providers and OEMs. The Pinpoint Analysis Test Suite is a reliable and consistent product to evaluate mobile device and system performance for Voice and Push to Talk (PTT) calls. With global reach, and real-time analysis, The Pinpoint Analysis Suite measures Fast Call Access Time, Reliable Voice Quality and Minimal Audio Delays – all of the essential ingredients for a reliable voice communication system.

The Pinpoint Analysis Test Suite utilizes industry standard POLQA and PESQ from ITU-T, combined with an Audio Gap Detection Tool to enable automated PTT and Voice Call testing in both live or simulated situations, in

Cuarenta

Pinpoint Analysis Test
Suite

Free Downloads

Pinpoint
Analysis Test Suite

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The Pinpoint Analysis Test Suite utilizes industry standard POLQA and PESQ from ITU-T, combined with an Audio Gap Detection Tool to enable